

UNITED STATES DISTRICT COURT
FOR THE
MIDDLE DISTRICT OF PENNSYLVANIA

AYYUB ALMUHSIN, :
: Plaintiff : No. 1:16-CV-00365
: vs. : (Judge Kane)
: WARDEN OF DAUPHIN COUNTY :
PRISON, et al., :
: Defendants :
:

ORDER

In accordance with the accompanying memorandum, **IT IS**
HEREBY ORDERED THAT:

1. Plaintiff's motion to proceed in forma pauperis (Doc. 2) is construed as a motion to proceed without full prepayment of the filing fee and is **GRANTED**.

2. Plaintiff's complaint is **DISMISSED** as it relates to the Warden of the Dauphin County Prison and inmate Raton and as it relates to the failure to protect claims leveled against the unidentified/John Doe correctional officers for failure to state a claim upon which relief may be granted pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii) with leave to file an amended complaint, consistent with the background of this order, within ninety (90) days of the date hereof.

3. With respect to the excessive force claims, Plaintiff is granted ninety (90) days to identify the John Doe correctional officers and file an amended complaint.

4. If Plaintiff fails to file an amended complaint within ninety (90) days of the date hereof, the claims against the John Doe correctional officers will be dismissed and the Court will direct the Clerk of Court to **CLOSE** this case.

S/ Yvette Kane
Yvette Kane
United States District Judge

Date: March 18, 2016